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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,853	03/24/2004	Poul Lundum	GRP-0065	5468
7590 08/06/2004 CANTOR COLBURN LLP 55 Griffin Road Smith Bloomfield, CT 06002			EXAMINER OJINI, EZIAMARA ANTHONY	
			ART UNIT 3723	PAPER NUMBER
DATE MAILED: 08/06/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/807,853

Applicant(s)

LUNDUM, POUL

Examiner

Anthony Ojini

Art Unit

3723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☒ Certified copies of the priority documents have been received in Application No. 10/257,482.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/24/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, lines 3,5,7,9, change the phrase "**the items**" to -----the substantially plane items-----.

In claims 4,6,15,21,32, line 2, change the phrase "**the items**" to -----the substantially plane items-----.

In claim 18, lines 3,6,8,10, change the phrase "**the items**" to -----the substantially plane items-----.

In claim 23, line 3, change the phrase "**the items**" to -----the substantially plane items-----.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,2,4,6,18,19,21,23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bando (4,228,617) in view of Pedrini (US 2003/0092359 A1).

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With respect to claims 1,18, Bando discloses an abrading device for abrasion of a substantially plane items (form of workpiece), said device comprising: a conveyor belt (51) for moving the substantially plane items in a direction of feed, a common slide (65), a plurality of abrading discs (75-78) mounted on the common slide, the disc including abrasive element for abrasion of a side of the substantially plane items (see fig. 1) a first motor (110) for driving rotation of the abrading discs around axes, which are substantially perpendicular to the side of the workpiece (see fig. 1); and a second motor (70) for driving the abrading discs by which the abrading discs is advanced and retracted transverse to the direction of the feed of the workpiece.

Bando fails to disclose a motor for driving the abrading discs in a reciprocatory movement. **Pedrini** discloses a motor for driving plurality of abrading discs in a reciprocatory movement. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide apparatus of Bando with a motor for driving the abrading discs in a reciprocatory movement in view of Pedrini so as to ensure the workpiece is smoothly abraded.

With respect to claims 2,19, Bando discloses wherein the abrasive elements extend outwards from a face of the abrading discs (see fig. 5).

With respect to claims 4,21, Bando discloses wherein the abrading discs are arranged aligned transversely to the direction of the feed of the workpiece (see fig. 9).

With respect to claims 6, 23, Bando fails to disclose wherein abrading are arranged aligned in two successive rows transversely to the direction of feed of the items, the discs in one row being staggered with respect to the disc in the other row.

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Pedrini discloses wherein abrading are arranged aligned in two successive rows transversely to the direction of feed of the items, but fails to disclose wherein the discs in one row being staggered with respect to the disc in the other row.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide apparatus of **Bando** with abrading discs that are arranged aligned in two successive rows transversely to the direction of feed of the items in view of Pedrin*i* so as to perform the same polishing action over the whole surface of the workpiece without repeated passes.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to Bando with abrading discs that are arranged aligned in two successive rows transversely to the direction of feed of the items wherein the discs in one row being staggered with respect to the disc in the other row **so as to perform the same polishing action over the whole surface of the workpiece without repeated passes**, since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70.

Allowable Subject Matter

Claims 3,5,7-17,20,22,24-34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Steinback disclose abrading apparatus.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Ojini whose telephone number is 703 305 3768. The examiner can normally be reached on 7 to 4 Tuesday-Friday with every other Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 703 308 2687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AO
August 4, 2004

